Minutes

Board of Commissioners
February 4, 2009
3:30 P.M.

The Board of Commissioners of Fayette County, Georgia, met in Official Session on February 4, 2009, at 3:30 p.m. in the Conference Room of the Fayette County Administrative Complex, 140 Stonewall Avenue, Fayetteville, Georgia.

Commissioners Present:	Jack Smith, Chairman Herb Frady, Vice-Chairman Lee Hearn Robert Horgan Eric Maxwell
Staff Present:	Jack Krakeel, County Administrator Scott Bennett, County Attorney Carol Chandler, Executive Assistant Floyd Jones, Deputy Clerk

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Call to Order

Chairman Smith called the February 4, 2009 Workshop Meeting to order at 3:30 p.m.

Acceptance of Agenda

Commissioner Frady moved to accept the agenda as published. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously.

OLD BUSINESS:

A. Presentation and approval of staff's recommendation for the FY2010 Budget Parameters and Calender.

Finance Director Mary Holland explained the Fiscal Year 2010 Budget Parameters and Calender to the Board before she stated that staff requested their adoption in order to continue with the budget process. Commissioner Hearn cautioned that the Board needed to be good stewards of Fayette County's money and should not spend good money after bad money if a piece of equipment is no longer useful. Some discussion followed. Commissioner Frady moved to approve staff's recommendation for the Fiscal Year 2010 Budget Parameters and Calender. Commissioner Horgan seconded the motion. No discussion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 1", follows these minutes and is made an official part hereof.

B. Update and discussion of request from the Retirement Study Committee that the County reject all vendor's proposals previously submitted for the 401(1), 457 and Defined Benefit Retirement Plans. This item was last discussed at the December 11, 2008 Board of Commissioners meeting.

Public Safety Director Allen McCullough spoke on behalf of the Retirement Study Committee. He informed the Board that it was the Retirement Study Committee's unanimous recommendation to reject all the proposals submitted by various vendors pertaining to the Defined Benefit Plan, and he said the Retirement Study Committee was asking for the Board's approval to allow it to continue investigating other multi-employer providers. He added that there were four reasons backing the Committee's recommendation, briefly addressed each reason, and repeated the Retirement Study Committee's request to permit it to continue reviewing the 401(a) and 457 bids that have submitted by vendors in order to provide a recommendation to the Board. Some discussion followed. Chairman Smith said he felt compelled to break this request into two pieces with the first piece being a recommendation to reject all the proposals related to Defined Benefits plans and explained the request was not to reject all of the bid proposals but only those parts of the proposals pertaining to Defined Benefits.

Commissioner Horgan moved to accept the Retirement Study Committee's recommendation to reject only those proposals related to the Defined Benefits Plan. Commissioner Hearn seconded the motion. Chairman Smith clarified that the motion applied only to the Defined Benefits portion of bids received from the vendors, and the Board agreed with the Chairman's clarification. The motion passed 4-0-1 with Commissioner Frady abstaining from the vote.

The Board further directed the Retirement Study Committee to continue reviewing the 401(a) and 457 bids submitted by vendors in order to bring a recommendation to the Board at a later date, and to continue with the direction previously given to the Committee at the December 11, 2008 Board of Commissioners meeting. A copy of the request, identified as "Attachment 2", follows these minutes and is made an official part hereof.

C. Consideration of Peachtree City's request to reaffirm two annexations fronting on McDuff Parkway which were previously annexed on May 3, 2007. This item was last discussed during Staff Reports at the January 22, 209 Board of Commissioners meeting.

Community Development Director Pete Frisina and County Attorney Scott Bennett explained and discussed this request with the Board. Chairman Smith asked what would be the legal "downside" to just reaffirm Peachtree City's request. Mr. Bennett replied that if there was nothing for the County to do then the County was not obligated to take action at all. Mr. Bennett reiterated that there was nothing the Board was obligated to do with this request unless it took the position that the previous annexation was not valid. Some discussion followed. The Board expressed no objection to Peachtree City's request and took no action. A copy of the request, identified as "Attachment 3", follows these minutes and is made an official part hereof.

NEW BUSINESS:

D. Discussion with Blue Cross/Blue Shield consultant on issues pertaining to health insurance.

Mr. Al Jones, Mr. Brad Dumon, and Mr. David Paulk, representing the Association County Commissioners of Georgia (ACCG) and Fayette County's health insurance provider, Blue Cross/Blue Shield, gave a presentation to the Board concerning healthcare insurance options available to Fayette County and the different structures

the County may consider regarding the delivery of healthcare services and insurance coverage for Fayette County employees. Discussion followed Mr. Al Jones' initial presentation. Mr. Dumon agreed to provide a list of all the various options available to the Board for its review.

The Board further directed staff to continue investigating the self-funded aspect of health insurance, and for County Administrator Jack Krakeel to meet with ACCG representatives in the following week to further discuss the issue. A copy of the request and presentation material, identified as "Attachment 4", follow these minutes and are made an official part hereof.

E. Discussion of a request from the Engineering Department to remove two incinerators from service at the Fayette County Transfer Station, and authorization for staff to negotiate an amended contract with Waste Management for animal disposal service.

Environmental Engineer Vanessa Birrell briefly explained her request and asked for the Board's approval. Commissioner Hearn said he had a couple of concerns with the request, and the first concern was that discretion must continue to be taken with the disposal of animals. Commissioner Hearn's second concern was that the incinerators are not as old as the backup material stated and suggested that the incinerators not be removed in the event that Waste Management decides to no longer provide animal disposal service. Ms. Birrell and the Board shared Commissioner Hearn's concerns and agreed to follow his suggestions. Some discussion followed.

Commissioner Horgan moved to authorize staff to negotiate an amended contract with Waste Management for animal disposal service. Commissioner Hearn seconded the motion. Public Works Director Phil Mallon noted that staff may not have to amend the contract with Waste Management so he wanted to ensure that the motion did not require staff to amend the contract. County Attorney Scott Bennett added that he did not believe a contract would be required to engage Waste Management for animal disposal service. Commissioner Horgan withdrew his motion and Commissioner Hearn withdrew his second to the motion.

The Board then directed County Administrator Jack Krakeel to amend the process used by Fayette County for animal disposal. A copy of the request, identified as "Attachment 5", follows these minutes and is made an official part hereof.

F. Discussion of the Water Committee's recommendation to increase the Fayette County Water System's water rates, including the minimum/base charge, by ten percent in 2009 and an additional five percent in January 2010.

Water System Director Tony Parrott said the upcoming Lake McIntosh Reservoir Project would require the Water System to have approximately $15 million in additional funds and that the money would have to be borrowed for constructing the reservoir. He said the requested rate increase was needed to pay the loan and after studying the issue the Water Committee was recommending that all water rates be increased by ten percent in 2009 and an additional five percent in 2010. Chairman Smith said he understood that in order to have bonded indebtedness there is a minimum debt coverage requirement and asked if the rate increase would meet the minimum debt coverage requirement as anticipated. Mr. Parrott said it would. Chairman Smith asked if the rate increase included a small margin since he did not want to return to the issue again. Mr. Parrott replied that he was comfortable that he would not be coming back with a request to raise rates in the near future and noted that the last time the County's water rates had increased was in 1991.

Commissioner Frady moved to accept the Water Committee's recommendation to increase the Fayette County Water System's water rates, including the minimum/base charge and the usage charge, by ten percent in 2009 and an additional five percent in January 2010, for the rate increase to take effect on March 1, 2009, and to notify water customers one billing cycle prior to the increase. Commissioner Horgan seconded the motion. Some discussion clarifying the motion followed. The motion passed unanimously. A copy of the request, identified as "Attachment 6", follows these minutes and is made an official part hereof.

ADMINISTRATOR'S REPORT

There was no Administrator's Report.

ATTORNEY'S REPORT

Former Commissioner Robert Sprayberry: County Attorney Scott Bennett reported that former County Commissioner Robert Sprayberry had a 457 account with Fayette County which he rolled into a new 457 account with Lincoln Benefit Life Company named *The County Board of Commissioners 457 Plan*. He added that the account was not Fayette County's and that Fayette County did not open the account and did not authorize the account. He reported that when Mr. Sprayberry attempted to retrieve money from the account the bank informed him the money belonged to Fayette County and he would need the Board of Commissioner's authorization to take the money. Mr. Bennett informed the Board that in an effort to correct the problem he drafted a resolution stating that the account is not a Fayette County account, that Fayette County does not have control or authority over the account, and that to the extent that Fayette County is alleged to have control over the account the control is delegated to Mr. Sprayberry who is named as the annuitant on the account. Some discussion followed. Commissioner Frady moved to authorize the Chairman to sign the resolution as drafted disclaiming the County's interest in Contract LBLA118015 for the benefit of Robert Sprayberry. Commissioner Horgan seconded the motion. Further discussion followed clarifying the wording of the motion. The motion passed unanimously. A copy of the resolution entitled *A Resolution of the Board of Commissioners of Fayette County, Georgia Relating to the Retirement Account of Robert Sprayberry*, identified as "Attachment 7", follows these minutes and is made an official part hereof.

STAFF REPORTS

2008 Consolidated Annual Financial Report: Assistant Finance Director Toni Jo Howard presented the 2008 Consolidated Annual Finance Report (CAFR) to each Commissioner and said auditors will be present at the February 12, 2009 Board of Commissioners meeting to give a formal presentation. She mentioned that the 2008 CAFR included the actual bound financial statements as well as the required communications from the auditors to the Board in the form of three separate letters.

Fayette Family Market Day: Executive Assistant Carol Chandler reminded the Board that during the April 2, 2008 Workshop Meeting the Board gave permission to Main Street Fayetteville to have Fayette Family Market Days take place in the Administrative Complex's parking lot. Ms. Chandler said the events were extremely successful and Main Street Fayetteville has requested permission to hold the events again this year and in subsequent years.

After some discussion, the consensus of the Board was to allow Fayette Family Market Days to take place in the Administrative Complex's parking lot in 2009 and in subsequent years.

Fiscal Year 2009 Budget Document: Budget Officer Sergio Acevedo distributed the 2009 Budget Document to each Commissioner. He noted that in previous years Fayette County published two separate books, the Budget Document Book and the CIP Book, but this year the CIP book was incorporated into the Budget Document Book under a section entitled *Capital Budget and CIP*. He said this change enabled Fayette County to save approximately one thousand dollars. Mr. Acevedo informed the Board that the Budget Document could also be viewed on-line by accessing the Finance Department's website. In closing, Mr. Acevedo stated that the Budget Document had already been submitted to the Government Finance Officers Association (GFOA) in order to obtain the Distinguished Budget Presentation Award, and he reminded the Board that Fayette County has received the award for the past 11 years and he anticipated Fayette County would receive the award again this year.

Public Safety 2008 Year-End Report ad 2009 Action Plan: Public Safety Director Allen McCullough presented the 2008 Year-End Report and the 2009 Action Plan to the Commissioners and briefly commented on the reports.

911 Expansion Project: Director of Communications Cheryl Rogers gave a brief presentation of the 911 Expansion Project to the Commissioners. Prior to her presentation, Public Safety Director Allen McCullough mentioned that the project had already been sent out for bids and would be on the February 12, 2009 Agenda for the Board's consideration. A copy of the presentation notes, identified as "Attachment 8", follow these minutes and are made an official part hereof.

BOARD REPORTS

Animal Tethering: Commissioner Maxwell said he had an informal discussion with Animal Control Director Miguel Abi-Hassan regarding the tethering of animals in Fayette County and if Fayette County needed to address the issue. He acknowledged that the issue was controversial and that current County Ordinances do not address the issue, but that it was Mr. Abi-Hassan's opinion that Fayette County should address the issue. He wanted the Commissioners to know that he was not looking to generate issues but he had been approached by a concerned citizen so he wanted the Board's input since he did not want to proceed with an investigation without the approval of the majority of the Commissioners. Some discussion followed.

The consensus of the Board was to direct Mr. Abi-Hassan to provide further input on the topic of animal tethering in Fayette County.

Healthcare Consultant: Commissioner Maxwell returned to the topic of self-funded health insurance, thought Fayette County needed help investigating the issue, suggested that the County engage local consultant Scott Burrell to help in the matter, and indicated that Mr. Burrell had offered to help Fayette County for one dollar. Some discussion followed.

The Board directed staff to engage Mr. Burrell for the purpose of assisting staff in developing a Request for Proposals (RFP) for soliciting vendors who provide self-insured employee health plans.

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT

Commissioner Hearn moved to adjourn the February 4, 2009 Workshop Meeting and was seconded by Commissioner Horgan. No discussion followed. The motion passed unanimously.

Floyd L. Jones, Deputy Clerk | **Jack R. Smith, Chairman**

The foregoing minutes were duly approved at an official meeting of the Board of Commissioners of Fayette County, Georgia, held on the 26nd day of February 2009.

Floyd L. Jones, Deputy Clerk